

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DEMETRIUS RENEE KELLUM §  
VS. § CIVIL ACTION NO. 1:20-CV-205  
STATE OF TEXAS, ET AL. §

**MEMORANDUM OPINION AND ORDER**

Plaintiff Demetrius Renee Kellum, a prisoner currently confined at the McConnell Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against the State of Texas, Jacob David Putnam, D. Matt Bingham, and Christi Kennedy.

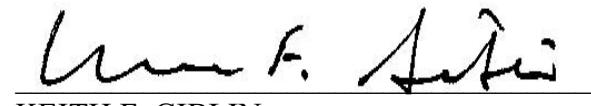
**Discussion**

When jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1331 provides that venue is proper in the judicial district where the defendants reside or in which the claim arose. Under 28 U.S.C. § 1404, the district court may transfer a civil action to any other district where it could have been brought for the convenience of parties and witnesses and in the interest of justice.

Plaintiff complains of incidents that took place in Smith County, Texas, which is in the Tyler Division of the United States District Court for the Eastern District of Texas. Venue is proper in the Eastern District of Texas, but the court has considered the circumstances and has determined that the interests of justice would be served by transferring this action to the division in which the claims arose. Therefore, the case should be transferred to the Tyler Division. It is accordingly

**ORDERED** that this civil rights action is **TRANSFERRED** to the Tyler Division of the United States District Court for the Eastern District of Texas.

**SIGNED this the 18th day of May, 2020.**



Keith F. Giblin  
KEITH F. GIBLIN  
UNITED STATES MAGISTRATE JUDGE